



## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/213,984	12/17/1998	WILHELMUS J.M. DIEPSTRATEN	DIEPSTRATEN-	6137
27964	7590 04/16/2003			
HITT GAINES & BOISBRUN P.C. P.O. BOX 832570 RICHARDSON, TX 75083			EXAMINER	
		DONAGHUE, I	LARRY D	
			ART UNIT	PAPER NUMBER
			2154	<u> </u>
			DATE MAILED: 04/16/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DEPARTMENT OF COMMERCE

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT			
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Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS



## **ADVISORY ACTION**

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed representant the date of which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 Ci 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.  Applicant's response to the final rejection, filed		
b) expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In event however, will the statutory period for the response expire later than six months from the date of the final rejection.  Any extension of time must be obtained by filing a pedition under 37 CFR 1.136(a), the proposed response and the appropriate The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set stresponding amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set stresponding amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set storepording amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set storepording amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set storepording amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set storepording amount of the fee. Any extension fee pursuant to 37 CI 1.18 (b) why the proposed amendment is necessary and was not earlier presented.  In the proposed amendments to the claim and for specification will not be entered and the final rejection stands because:  a. They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They are not deemed to place the application in better form for appeal by materially rejected claims.  NOTE:  Upon the filing an appeal, the proposed	2	HE PERIOD FOR RESPONSE:
expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In event however, will the statutory period for the response expire later than six months from the date of the final rejection.  Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate The date on which the response, the petition, and the lee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.  Applicant's response to the final rejection, filed	a) [	is extended to run or continues to run from the date of the final rejection
Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate The date on which the response, the petition is, and the tea have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CI 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.    Appellants Brief is due in accordance with 37 CFR 1.192(a).   Appellants response to the final rejection, filed	b) 1/2	expires three months from the date of the final rejection or as of the mailing date of the date of the final rejection or as of the mailing date of the date of the final rejection or as of the mailing date of the date of t
Appellant's Brief is due in accordance with 37 CFR 1.192(a).  Applicant's response to the final rejection, filed		Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fer The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding server that the date of the response and also the date for the
to place the application in condition for allowance:  1. Where is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  2. They raise new issues that would require further consideration and/or search. (See Note).  3. They raise new issues that would require further consideration and/or search. (See Note).  4. They raise the issue of new matter. (See Note).  5. They raise the issue of new matter. (See Note).  6. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  7. They present additional claims without cancelling a corresponding number of finally rejected claims.  8. NOTE:  8. NOTE:  9. When the proposed or amended claims without cancelling a corresponding number of finally rejected claims.  9. Would be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.  9. Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows:  9. Claims allowed:  1. Claims allowed:  1. Claims rejected:  1. Applicant's response has overcome the following rejection(s):  1. The affidavit, exhibit or request for reconsidered because applicant has not shown good and sufficent reasons why it was not earlier presented.  1. The proposed drawing correction has has not been approved by the examiner.	□ · ^	
a. Phere is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b. They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: Would be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.  Would be allowed if submitted in a separately filed amendment cancelling be as follows:  Claims allowed: Claims allowed: Claims rejected to: Claims rejected to: The affidavit, exhibit or request for reconsideration has been considered but does not of excome the rejection because the affidavit, exhibit or request for reconsidered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.	☐ A	Applicant's response to the final rejection, filed has been considered with the following effect, but it is not deemed the application in condition for allowance:
a. Phere is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b. They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: Would be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.  Would be allowed if submitted in a separately filed amendment cancelling be as follows:  Claims allowed: Claims allowed: Claims rejected to: Claims rejected to: The affidavit, exhibit or request for reconsideration has been considered but does not of excome the rejection because the affidavit, exhibit or request for reconsidered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.	1. 🗓	The proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:
c.  They raise the issue of new matter. (See Note).  d.  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e.  They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE:  would be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.  Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows:  Claims allowed:		a. There is no convincing showing under 37 CFR 1 116(h) why the proposed amondment is account of the proposed amondment of the proposed amondment is account of the proposed amondment of the proposed amondment is account of the proposed amondment of the proposed amondment is account of the proposed amondment of the proposed amondm
d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: When the filing an appeal the proposed amendment will be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.  Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows:  Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s):  The affidavit, exhibit or request for reconsidered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The proposed drawing correction has has not been approved by the examiner.		b. They raise new issues that would require further consideration and/or search. (See Note).
e.  They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE:		c. They raise the issue of new matter. (See Note).
Note: The proposed or amended claims		d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
Note: The nor-allowable claims would be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.    Upon the filing an appeal, the proposed amendment   will be entered   will not be entered and the status of the claims will be as follows:    Claims allowed:   Claims objected to:   Claims rejected:   - Z   However;   Applicant's response has overcome the following rejection(s):   The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because   The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.    The proposed drawing correction   has   has not been approved by the examiner.		e. They present additional claims without cancelling a corresponding number of finally rejected claims
Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows:  Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s):  The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The proposed drawing correction has has not been approved by the examiner.		NOTE: The new smendent would require
Upon the filing an appeal, the proposed amendment  will be entered will not be entered and the status of the claims will be as follows:  Claims allowed: Claims objected to: Claims rejected: However; Applicant's response has overcome the following rejection(s):  The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The proposed drawing correction has has not been approved by the examiner.	. 🗆	Newly proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the nor-allowable claims.
Claims objected to:  Claims rejected:  However;  Applicant's response has overcome the following rejection(s):  The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because  The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The proposed drawing correction has has not been approved by the examiner.	Ų	Upon the filing an appeal, the proposed amendment  will be entered will not be entered and the status of the claims will be as follows:
Claims rejected:		Claims allowed:
However;  Applicant's response has overcome the following rejection(s):  The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because  The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.  The proposed drawing correction has has not been approved by the examiner.		
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The proposed drawing correction  has has not been approved by the examiner.	. <b>y</b>	The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because the research in the first of t
		The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier presented.
	] The	proposed drawing correction  has has not been approved by the examiner.
AIMARY EXAMINER	_	er ARRY D. DONAGHUE

PTOL-303 (REV. 5-89)